

WOODRUFF YIELDS TO ROOT

HE SEES TAFT AND QUITS FOR "HARMONY'S" SAKE.

He learns that the Administration needs Root and that Tammany's defeat must also be considered—President-elect says he is very much pleased.

HOT SPRINGS, Va., Nov. 29.—Timothy L. Woodruff's aspiration to succeed Thomas C. Platt in the United States Senate passed away this afternoon. The State chairman buried it upon the mountain side with himself as the only mourner and the chipmunks and chickadees chirping a happy farewell. The Taft cottage in which the boom drew its last breath bore no sign of sadness. The President-elect refused to look as if he had witnessed a tragedy.

Mr. Woodruff himself issued a statement immediately after the burial explaining it on the ground that he desired to promote party harmony and the welfare of the Taft administration. The President-elect replied with a statement which indicates plainly enough that he has no doubt, now that Woodruff has withdrawn, that Elihu Root will be sent to the Senate. Mr. Woodruff himself believes that Mr. Root's election will be unanimous.

Here is the Taft statement:

"I can only say that I am very much pleased at the attitude that Gov. Woodruff has taken in the matter. He has been moved by an earnest desire to promote party harmony and has established his claim to the gratitude of the Republicans of New York and also of the country at large for making it as certain as possible that such a statement as Mr. Root will be chosen to represent the State of New York in the Senate."

I am personally very much pleased, now that I have had to give up my purpose to continue Mr. Root in the Cabinet, that I shall have the support and assistance which he will render to the administration with his great ability and his knowledge of Governmental affairs. I am sure from what I know that the action of Mr. Woodruff and the election of Mr. Root will conduce to great harmony among the Republicans in New York and will strengthen the party."

This is the statement that Mr. Woodruff issued.

"I have refrained from all public discussion of the United States Senatorship and have made no statement as to what my course concerning it would be, both because of the views I hold, as frequently expressed at the time of the last national and State conventions, that the power of the State organization should not be used by the chairman of the State committee to further the candidacy of any one person against another, and also because I have been awaiting, as I have stated to the press, the disposition of all matters left over from the campaign, including the preparation and filing of our financial statement, before giving this matter my serious consideration."

"As soon as this work was cleared up I came to Hot Springs at the request of the President-elect. Here I have learned from him that it is now definitely determined that he cannot retain Secretary Root's services in the Cabinet he is very desirous, but without interfering in the matter, that his administration shall have the benefit in the Senate of the exceptionally valuable assistance which Mr. Root can render by reason of his intimate knowledge of all the important matters with which the Government has been concerned both at home and abroad during the McKinley and Roosevelt administrations."

"All will doubtless agree with me that every right minded supporter and well wisher of Judge Taft should subordinate any personal ambition to whatever may seem to be essential to the complete success of the new administration, to which the American people are looking forward with the highest expectations."

Furthermore, the unanimous support of Secretary Root by the State organization would unquestionably insure harmonious party action by the State officers and the Federal authorities and an impartial consideration of the claims of all the local organizations in the State unbiassed by such factional antagonisms as a contest for the Senatorship would surely provoke."

"In addition to these considerations it is of the greatest importance that in the greater city of New York perfect harmony should prevail in the ranks of the Republican party, especially among the Republican county organizations of the city, which are now so arrayed against one another on the Senatorship, in order to insure the defeat of Tammany Hall in the municipal election of next fall, thereby securing an administration that will put an end to the extravagance and inefficiency in the government of the city which is a reproach to every person living in the first municipality of the land."

"For these reasons I am not and will not be a candidate for Senator. Although profoundly appreciating the unselfish and earnestness with which I have been appealed to by the organization and the members of the Legislature from my home county of Kings to become a candidate and the cordial offers of support which have come to me from every section and almost every county of the State."

Mr. Woodruff was with the President-elect only a little more than an hour. He had made up his mind before he went to the Taft cottage that he would withdraw from the race if Mr. Taft felt on the Senatorship question as some of his friends had represented. When the State chairman saw Mr. Taft in New York two weeks ago Mr. Taft had hope of retaining Elihu Root in his Cabinet. Woodruff wanted to learn from Mr. Taft himself that that hope had passed; and also wanted to hear Mr. Taft say flatly that he would like to have Mr. Root's services in the Senate."

Both of Mr. Woodruff's wishes were satisfied in a very few minutes. Mr. Taft told the State chairman that Elihu Root was a man whose views on public questions were known to him through long association and that he would be able to render the administration a service in the Senate which probably no other man could. But the President-elect made it plain to the State chairman also that he would not interfere through promises of

Federal patronage even if Woodruff remained in the race.

Mr. Woodruff did not retire without impressing upon Mr. Taft the importance of the strength behind his candidacy. He had the endorsement of the nineteen Kings county legislators to begin with. He believed that if he remained in the race the fighting lines were to be drawn between the State organization men with anti-Roosevelt leanings on one side and the Federal officeholders and independentists who favored Roosevelt's candidacy on the other.

In the event of such an alignment Mr. Woodruff expected to have the support of Odell, William Barnes, Jr., of Albany, Frank S. Black of Troy, Francis Hendricks of Syracuse, possibly John Raines and one or two other leaders. In fact, if Woodruff had remained in the Senatorial race a combination of these forces was to have been formed with a view to electing Woodruff's successor as chairman of the State committee and obtaining control of the organization. With these State leaders it would have been a case of give and take. Odell would have sharpened his knives again and gone out after Herbert Parsons's scalp in New York county.

Woodruff refers in his statement to his belief that it would have been a fight between the State and Federal forces which he exposed a desire for harmonious party action. Woodruff apparently believes that in the case of a showdown he would have been backed by the patronage of the Comptroller's office, by that controlled by the Lieutenant-Governor and John Raines, and by that of the State organization.

In short, Mr. Woodruff figured that he had enough support in sight to kick up a mighty big row and he regards his action as magnanimous. Mr. Taft apparently agrees with him.

The State Chairman will remain here until Tuesday.

WEALTHY CUBAN SHOT DEAD.

Tiro Mesa Killed by a Matanzas Merchant. Probably in Business Quarrel.

HAVANA, Nov. 29.—Tiro Mesa, a multi-millionaire resident of Havana, a sugar plantation owner and a member of the London board of directors of the United Railways of Havana, was shot five times and killed by Ramon F. Victoria, a merchant of Aguado de Pasajeros, province of Matanzas, near that place this morning.

Mesa, who was one of the most prominent business men of Cuba, had a bad temper. He had been warned several times by friends that if he continued to give vent to his disagreeableness he would some time run against the wrong man and be killed.

The reason for the shooting is not known, but it is supposed the men became involved in a business quarrel. Judge Landa, Acting Secretary of Justice, who is a personal friend of the Mesa family, has gone on a special train to investigate and to bring the body to Havana.

WAITERS DO HOUSE AND GUESTS.

Use Fraudulent Checks at the Hofbrau—Arrested for Forgery.

Through the arrest of two waiters in the Hofbrauhaus, at Thirtieth street and Broadway, on Saturday evening a system of forged restaurant checks was unearthed which may have extensive ramifications, according to detectives employed by the Whitney Duplicating Check Company.

The forged checks had been used apparently to swindle patrons by making them pay for checks when they got only the ordinary kind and for three portions of a salad when they got but two.

Detectives employed by the Fidelity Secret Service have been working at the Hofbrau for over a month trying to get on to the scheme. They found they could, that an elaborate system of duplicate checks had been devised by some one and that the checks were sold by the "scrub captain," as the assistant head waiter is called, to the other waiters for 25 cents apiece. These checks were generally used when steaks, salads or vegetables were ordered.

The detectives engaged in ferreting out the plan patronized the restaurant extensively and noticed that some of the waiters were fond of suggesting club steaks to those who appeared to be struggling over the menu. When a club steak was ordered the waiter brought a regular sirloin, and by using the counterfeit checks collected the difference. Detectives William L. Lohmeyer of the Central Office, with some of the private sleuths, organized two little dinner parties on Saturday evening and when they got their checks they pinched William Metz, a waiter, and Herman Brokop, who they said had been handing out the bogus checks.

As they started out Metz broke away from them and fled through the main dining room, knocking over a table and causing great excitement. He was caught at Twenty-ninth street and taken to the third degree was made against the two men, who were arraigned yesterday in the Jefferson Market court and held for examination.

The detectives were unable to find out who was printing the bad checks. The check system used at the Hofbrau and some of the other Broadway restaurants is not so hard as it might have been if he had not struck on a part of his person that had some bounce. Quarantine reported his injuries to be of a painful, but not serious nature.

TO AVOID A LYNCHING.

Nine Negroes Accused of Murdering a Sheriff Rushed to Birmingham Jail.

BIRMINGHAM, Ala., Nov. 29.—Sheriff Gevin of Hale county rushed to the Birmingham jail to-day seven negro men and two negro women and lodged them here for safekeeping to avoid a possible lynching.

The negroes were arrested in connection with the killing of former Sheriff Burke, whose house was set on fire after he had been murdered by robbers. Persons who saw the fire extinguished it and got out the Sheriff's body. One of the negroes confessed and implicated others.

JENKINS TRUST CO. TO QUIT

HAS NOT PROSPERED UNDER ITS NEW NAME LAFAYETTE.

Superintendent of Banks to Take Possession—Trust Company President's of Brooklyn Advised Liquidation—Brooklyn Prospects Are Not Starred.

The Lafayette Trust Company, under which name the Jenkins Trust Company of Brooklyn was reorganized, with its main office at Gates and Nostrand avenues and branches at Coney Island and Ridgewood, will go into the hands of the Superintendent of Banks this morning for liquidation. Inability to raise additional capital for its branches under the new State law is assigned as the reason. The company has already paid 75 per cent. of the amount due to old Jenkins Trust Company depositors, having anticipated the last payment two months.

The decision to go out of business was announced last night at the Brooklyn Club by Harold A. Davidson, the president, after a conference lasting nearly all day at the home of Charles A. Body, president of the Peoples Trust Company, who lives at 137 Joralemon street. This conference was attended by the heads of all the Brooklyn trust companies and was for the purpose of deciding whether it would be worth while for the other trust companies to try to pull the Lafayette Trust Company through. The conference broke up at about 6 o'clock, when it was announced that a statement was being prepared. At 11 o'clock President Davidson gave out this statement:

"The proposed increase of the capital of the Lafayette Trust Company to meet the requirements of the new law for the operation of existing branches, has proved unsuccessfull. Three branches have already been closed and for lack of additional capital two more must now be abandoned."

"A continuance of business under these circumstances is impossible. The advice of a number of presidents of Brooklyn trust companies was sought at a conference held at the residence of Charles A. Body. It was the consensus of opinion that liquidation must ensue and that this can be expedited more economically through the Banking Department under the recent statute than otherwise."

"The Superintendent of Banks has been consulted and will take possession to-morrow for the purpose of effecting such liquidation."

It was learned that the deposits of the trust company have shrunk from \$4,000,000 at the time it opened, last April to \$1,000,000.

President Davidson declined to say whether or not he believed the old depositors of the Jenkins Trust Company and the new depositors in the Lafayette would be paid in full.

The Jenkins Trust Company was one of the chain of Jenkins banks which closed in the week of the Knickerbocker Trust Company run last year, and for which the Attorney-General had a receiver appointed on November 16, 1907. John G. Jenkins, Jr., now on his trial in Brooklyn for embezzling the company's money, was the president. On April 5 last Supreme Court Justice Betts handed down an order permitting the company to resume not later than April 22. His decision was based on a report by Banking Superintendent Clark Williams, that the company's assets were \$4,902,712.46, and the liabilities, including the estimated expenses of the receiver, \$3,759,524.22, leaving the capital intact and a surplus of \$4,183.24. The board of directors were required to deposit jointly a directors' fund of \$100,000 prior to the resumption of business. This fund was to be made repayable only out of a surplus which might be accumulated in excess of \$150,000.

Harold A. Davidson was elected president and the institution reopened on April 15. The new officers, in addition to Mr. Davidson and Mr. Adams, were H. B. Scherman and Lewis H. Irwin, first and second vice-presidents, and Joseph Loughlin secretary. The old company had had about 6,000 depositors, most of whom had assented to an installment plan of drawing upon their deposits. Banks were to be repaid within ninety days and depositors in ten monthly installments.

21 CHINESE ESCAPE.

Break From Detention Shed and Flee to San Francisco Chinatown.

SAN FRANCISCO, Nov. 29.—Twenty-three Chinese escaped from the Pacific Mail detention sheds early this morning and all except two got away.

In the big room at the dock where Chinese immigrants are kept until their cases are disposed of in the Federal courts there were 116 Orientals, watched day and night. Those who escaped removed a door going into an adjoining hospital and then saw their way through the bars and wire mesh covering a window that led to the roof. After that they slid down a pipe to the street and made for Chinatown. They were seen escaping by a Pacific Mail watchman, who gave the alarm and captured two of them. It is evident there was collusion with outsiders, as some American clothing was found on the roof of the shed. On September 8 eleven Chinese got away, four of whom had been ordered deported. The Pacific Mail Company is responsible for any escape and may be called upon to pay \$10,000.

Two of the Chinese who escaped voluntarily surrendered themselves at the Mail dock later. They said they had been forced to go with the others and that the ringleaders had planned to kill the Government watchman should he discover them while escaping.

AUTO RUNS OVER BOY.

Belongs to Goodman, Who Was With A. Lauterbach at His Death.

An automobile owned by Edmund L. Goodman, a real estate man of 2409 Broadway, and driven by Thomas Jordan of 2161 Fifth avenue, ran over Salvador Montemaco, 10 years old, of 118 Delancey street at the Manhattan bridge yesterday and broke his leg.

Policeman Balhin, who arrested Jordan for reckless driving, understood that two occupants of the car were a daughter and son-in-law of Edward Lauterbach. Mr. Goodman is also said to have been in the car.

He was in the automobile with Alfred Lauterbach when the latter was killed.

HOW SISTER SET THE ALARM.

Greenthal's Burglar Seize Worked, but Not as He Had Planned.

Harold Greenthal, literary man and football player, of 229 East Eighty-sixth street, took a final look at his new and novel burglar alarm on Saturday night and informed his family that nocturnal wanderers had better beware breaking into his abode. They would regret their rashness. The inventor's plan was this: From all the windows and doors of the building connections went to the telephone and a phonograph placed before it. If any one entered in the midnight hours it was so contrived that the telephone receiver was knocked off its hook and the phonograph started. The latter would tell Central that Police Headquarters was desired and then repeat time after time that the house had been broken into and that officers should be sent at once to the address it called off.

The inventor told his sister to put his unique record in the phonograph and retired to rest. About 2 o'clock the family was awakened by what sounded like some one singing. Mr. Greenthal threw open the door of his bedroom, and in scanty attire rushed down stairs to see a man about out of a back door faster than he had entered and hear the strains of "The Merry Widow" waltz breaking the stillness of the night.

Explanations came from sister and the mystery was soon solved. She had put the wrong record in the phonograph, and the result was that Central was treated to a popular song and the robber made to believe that he was keeping the night awake. Greenthal retired again.

METZ ON THE MAYORALTY.

Says in Atlanta Maybe He'll Be a Candidate, Maybe Not.

ATLANTA, Ga., Nov. 29.—Comptroller Herman A. Metz of New York, who is in Atlanta on business, talked to-day about politics at home. Asked if he intended to be a candidate for Mayor next November, he said:

"Maybe so, maybe not. I have been mentioned, I know, but there is no telling how things will line up between now and then. I am not anxious about it."

"Tammany doesn't want me. There is talk of fusion, though, and no one can tell whether that will be successful or what it would mean. I belong to the Kings county Democratic organization that Tammany is fighting. Herebefore a New York man has got the Mayor's place and a Brooklyn man the Comptroller's office. Now Tammany is wanting to get control of the whole city. That means they want to control the State convention through New York city."

"They can't work it, though. The Kings county organization itself is strong and there are 80,000 independent votes in Brooklyn that nobody can place. These 80,000 can be depended on against Tammany. They don't belong to any party organization. They made Brooklyn give the Democrats 30,000 majority in one election, and in the next the majority was about 30,000 on the Republican side."

"The fight between the Kings county organization and Tammany is serious. Croker is back from Ireland. He may take a hand in it, but I don't believe so. He's comfortably fixed on his estate in Ireland and has retired from active fighting. He has been in New York only a few days, though, and that is not sufficient time to judge just what interest he will take in the fight. Croker is a powerful man. He has a tremendous personal following that he can swing without turning a hair. His absence in Ireland for the past few years has not altered that at all. His supporters are as numerous and as loyal to all appearances as they ever were. The old chief is not to be counted out yet by any means."

BOSTON'S GREAT COTTON MILL.

\$5,000,000 Plant to Be Built on the Chelsea—Will Have 2,000 Employees.

BOSTON, Nov. 29.—Eugene F. Foss announced that work is to be begun immediately on the construction of a \$5,000,000 cotton mill in East Boston. For more than a year this project has been held in abeyance because of the business stagnation.

It is expected this factory will make Boston a textile centre, competing for trade with Lawrence, Lowell, New Bedford and Manchester. Its 250,000 spindles and 7,500 looms will be operated by 8,000 workers. The mills, weave sheds and power station will cover sixty-five acres of land fronting on the Chelsea River. The land has already been purchased on this side of the Atlantic, and I desire to see Boston made a great textile centre," Mr. Foss says.

"We have paid too much attention to exporting raw cotton to England, where our finest textiles come from, and not enough to producing high grade manufactured products."

"We shall start building just as soon as the weather permits, possibly by the first of the year."

KAISER INTERVIEWS BOGUS.

"World" Cables Chancellor Von Bulow That It Was a Honest Mistake.

The World, which published on November 27 what purported to be an "absolutely accurate and authentic synopsis" of the suppressed Hale interview with the Kaiser, containing the remark ascribed to the Kaiser, "Edward has been hounding me for two years and he has got to stop it," now announces that it has sent this cable message:

Prince von Bulow, Imperial Chancellor, Berlin:

After a painstaking investigation the New York World finds no convincing basis of fact for its published synopsis of the Hale interview with His Majesty the German Emperor. It accepts your verdict that the alleged interview ascribed to the Emperor "is a purely mythical story which cannot have occurred." As a matter of simple justice to the German Emperor and the German people the World will print an editorial later Monday morning expressing its sincere regret at the publication of a synopsis which it regards as misleading and mischievous. It was an honest mistake committed merely through overzeal, without the knowledge of the proprietor or chief editor and no late at night that the article did not appear in the first edition. Proofs of the synopsis sent to the author of the interview had been corrected in his own handwriting and this was naturally accepted as evidence that the article as printed was personally approved by him.

QUICKEST FLORIDA TRAIN SEABOARD Year Round Ltd. Sleepers to Jacksonville, Tampa, St. Petersburg, Memphis. Reg. 115 Pm. Pm. A.S.

BURGLARS USE CHLOROFORM

PAY A SERIES OF PROFITABLE VISITS IN HARLEM.

Last Friday and Saturday They Were Busy in 11th Street and Secured Cash, Jewelry and a Variety of Articles—Four Persons Were Chloroformed.

It became known yesterday that there had been a number of burglaries in Harlem early on Friday morning and on Saturday afternoon and that Elias E. Ries, an engineer, and his wife, and Jacob L. Jackson, a clothing store manager, and his wife had been chloroformed by the invaders. They live in the Huntington apartment, at 218 West 112th street.

The burglars got into the Ries apartment, which is on the third floor of the house, by way of the fire escape from the roof. Besides Mr. and Mrs. Ries, their little daughter and two maids were sleeping in the house. When Ries woke up, shortly after 4 o'clock on Friday morning, he was sick. At daylight the room was seen to have been disturbed.

The burglars had taken his wallet containing \$400 in money but had overlooked a small pocketbook in his waistcoat which contained \$100. Besides the money they got away with a gold watch belonging to Mr. Ries, a diamond stickpin of his and a quantity of jewelry belonging to his wife.

About 4 o'clock in the morning a maid in the apartment of Irving Olenick, across the hall from Mr. Ries, heard someone trying the door. She made a noise and then she heard footsteps as of somebody running away. She felt certain that the persons had gone upstairs.

Mr. Jackson, who lives on the fourth floor of the building, later found his front door open with plain marks of a jimmy on it. Jackson did not wake up until 6 o'clock, and both he and his wife suffered from the effects of chloroform. The room of Mr. and Mrs. Jackson had been invaded and \$800 worth of jewelry was gone. The same morning about daylight Emanuel Van Bernoot, who lives on the second floor, was awakened by his two-year-old child crying. He found that somebody had removed the bars leading into the child's room from the fire escape and had pried open the window. Apparently the child's screams had frightened the visitors away.

The front door of the apartment of Felix Fernbach, who lives at 131 West 112th street, was jimmied open on Saturday afternoon and the apartment was badly damaged. All the drawers in the bureau were pulled out and the place was generally ransacked. Mr. Fernbach could not state his exact loss, but said that a number of articles of jewelry were missing.

The same afternoon the home of C. S. Davidson, who lives on the third floor of the flat house at 127 West 112th street, was entered by prying open the front door. Forty pieces of cut glass were taken. A third robbery reported to the police as having taken place on Saturday afternoon was the looting of the flat of Lewis Levy across the hall. A quantity of clothing was taken and about \$200 worth of jewelry.

ANTI-AUSTRIAN MOB IN ROME.

20,000 People Try to Storm the Embassy—Warded Off by Italian Soldiers.

Rome, Nov. 29.—An anti-Austrian demonstration, attended by 20,000 persons, was held here to-day. Radical, Socialist and anarchist deputies made speeches.

The crowd then attempted to rush the lines of soldiers to reach the Austrian Embassy, but failed. The attempt was repeated later in the afternoon, but large bodies of troops drove back the mob and dispersed it.

The streets in the centre of the city, except where the mob assembled, were deserted throughout the day, the people fearing there would be serious rioting.

The troops and police are complete masters of the situation.

The report that Italy apologized to the Austrian Government for the recent disturbances is incorrect. The Vienna Cabinet originally demanded an apology but withdrew the demand.

Meetings to protest against the treatment of Italian students in Vienna were held to-day at Milan, Florence, Padua and Palermo. There were no disturbances.

AUSTRIA RAGES AT BOYCOTT.

Tells Turkey She Won't Stand It—Klanli Pasha Makes a Bold Reply.

Special Cable Despatches to THE SUN.

CONSTANTINOPLE, Nov. 29.—Marquis Pallavicini, the Austrian Ambassador, had another interview with Grand Vizer Kiamli Pasha yesterday. He declared emphatically that Austria-Hungary could not tolerate the situation caused by the boycott.

He explained that his proposed absence from his post was for the purpose of consulting with Baron von Aehrenthal, Austro-Hungarian Minister of Foreign Affairs, concerning the boycott, and he hinted that his absence might be prolonged unless the Porte remedied the situation. He also intimated that he would not wait many more days for a solution of the difficulty.

Kiamli Pasha replied that he was doing all he could unofficially and he hoped to succeed in removing the custom house feature of the trouble.

The press has adopted a more moderate tone and the situation seems less strained. VIENNA, Nov. 29.—Despite the denials that have been made it is certain that the Austrian Government applied to the French Government to use its influence against the Austrian boycott in Turkey. The French Ambassador here, however, declared that France was unable to intervene. His Government's reply stated that it regarded the boycott not as a political action but as a purely economic question in which it could not meddle.

Owen Kildare to Bloomingdale. Owen Kildare, the author, is to be sent to Bloomingdale to-day from the psychiatric ward at Bellevue. The Bellevue alienists believe that he will recover after a few months treatment.

WOULD STOP THE INAUGURAL.

Stevenson Will Try to Keep Deenen Out Until Contest Is Decided.

CHICAGO, Nov. 29.—A writ of prohibition to stop the inauguration of Gov. Deenen until the contest over his election has been decided will be asked by Adlai E. Stevenson, the Democratic candidate for Governor, as soon as the Legislature convenes.

This move was decided upon to-day by Charles Boeschenstein, chairman of the Democratic State central committee, Secretary Arthur W. Charles and other members of the committee at a conference in this city.

PARIS ELECTS ONE WOMAN.

Result of Voting for Members of the Labor Arbitration Board.

Special Cable Despatch to THE SUN. PARIS, Nov. 29.—Only one of the women who were candidates for membership in the Councils of Prudhommes, or boards of arbitration for labor disputes, the polling for which took place to-day, was elected.

CROKER AT GREYSTONE.

Guest of Samuel Untermeyer—Was Tilden's Guest Last Time.

Richard Croker was the guest of Samuel Untermeyer yesterday at Greystone, near Yonkers. Mr. Untermeyer took Mr. Croker up there in his automobile at noon. Mr. Croker said that the last time he had been there was when he went to see Samuel J. Tilden shortly before Mr. Tilden died.

Last evening Mr. Croker spent with his son, Richard Croker, Jr. Mr. Croker has not decided when he will go South nor has he picked the place where he will winter. He said last night that he was having a good time in New York.

TURNS FROM OLD KENTUCKY.

Still Says It's Too Lawless and Will Move to New Mexico.

LEXINGTON, Ky., Nov. 29.—Charles H. Stoll, the distiller and the man who organized the whiskey trust, announced to-day that he would leave this week for New Mexico to settle permanently. He said that because of the lawlessness in Kentucky due to tobacco and other troubles he did not consider it a proper place to raise and educate his children or his grandchildren. His son and daughter and son-in-law will go with him to New Mexico.

PORPOISES AT HELL GATE.

Coming Unusually Near to Town, They Amused Sunday Strollers.

A school of porpoises playing about in the waters off the Sunken Meadows and near Hell Gate attracted the attention of many persons along shore there for a good while yesterday.

Half a dozen small boats containing men armed with improvised harpoons put out after the strangers, but none was caught. Porpoises are seldom seen further down the Sound than New Rochelle, but there was a strong tide yesterday and it is supposed that it drove them in.

PRIEST CALLS IN CORONER.

Had a Singular Visitor After Death of a Woman Parishioner.

The Rev. Father Kelly of the Church of the Annunciation notified the Coroner's office last night that Mrs. Marie Beatty, a parishioner of his, wife of Dr. Archibald Beatty of 512 West 134th street, had died suddenly at 6 o'clock at her home under circumstances that seemed to him to be suspicious.

Father Kelly also told Coroner Shady that it was a strange thing, when he was a physician, had come to him later in the evening and wanted to make a confession. The stranger told the priest that with the assistance of another physician he had performed an operation upon his wife. The man said he was not a Catholic and Father Kelly refused to listen to him further.

Mrs. Beatty and her mother, Mrs. Menardi, are Catholics. Mrs. Menardi said last night that her daughter, who was a telephone girl, was formerly Mrs. Marie Madden. Mrs. Menardi said she did not know the cause of her daughter's sudden death.

Dr. Beatty, according to his mother-in-law, went out at 8 o'clock, saying he was going to find an undertaker. Coroner Shady after looking into the case told the police to question him and report.

SHAH SETS UP FETTER COUNCIL.

Substitute for Persian Parliament Which Won't Satisfy Reformers.

Special Cable Despatch to THE SUN.

TEHRAN, Nov. 29.—The latest form of the Shah's vacillations is the establishment of a Council of State composed of forty members of the conservative aristocracy instead of a Constitution.

The Ministers were not admitted by the Shah on Saturday. The assumption that the withdrawal of the firman cancelling the Constitution was due to pressure by Russia and Great Britain proves to have been unfounded.

It is the opinion here that the only justification for the creation of the new council at the present moment would be the setting of it at work to draft the promised Constitution. As this is not among its allotted tasks it can be foreseen that the council will not be satisfactory to the reformers.

FOOTBALL PLAYERS SHOT.

Hunters Fire Into a Scrimmaging Group and Wound Two Men.

FREELAND, Pa., Nov. 29.—Two men were shot and both may die as the result of a peculiar incident of a football game at Lattimer to-day between teams representing the mining towns of Lattimer and Milneville.

While the game was in progress three men appeared from the woods at one side of the field and after shouting to the players to throw the ball into the air so they could shoot it fired shotguns into the mass of players. Joseph Sommers was shot in the left side, arm and leg. Daniel Burke was shot in the right arm, side and leg, and several shots pierced his abdomen.

Searchers arrested three, Joseph Goodfellow, Charles Reiss and John Shriver, all of Lattimer, who confessed to the shooting and were locked up.

NORD ALEXIS WILL FIGHT ON

HAYTIAN PRESIDENT REJECTS ADVICE TO RESIGN.

With Loyal Troops He Fortifies Port au Prince Against Victorious Rebels—800 Killed and Wounded in Battle—Terror in Capital, Sailors May Leave.